

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DALE RICHARD DANSER,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-10-1228-HE
	)	
MICHAEL J. ASTRUE, Commissioner	)	
of the Social Security Administration,	)	
	)	
Defendant.	)	


**ORDER**

Plaintiff Dale Richard Danser filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying his application for disability insurance and supplemental security income benefits. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Gary M. Purcell, who recommends that the plaintiff's motion for leave to proceed *in forma pauperis* be denied and the complaint be dismissed without prejudice unless he pays the filing fee by December 6, 2010.

Plaintiff, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1)(C). Plaintiff also neither paid the filing fee nor requested an extension of time within which to do so. Accordingly, the court adopts Magistrate Judge Purcell's Report and Recommendation and dismisses this action without prejudice.

**IT IS SO ORDERED.**

Dated this 17th day of December, 2010.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE